### A2: Conditionality

---Real World-Policy makers do consider multiple options at once. Their argument guts one of the core elements of policy discussion.

---Best policy justifies-Multiple options make it more likeley that the best policy will be found. The role of the judge is to endorse the best policy at the end of the round. If a conditional counterplan has been proven to be the best policy, it’s perverse not to allow it to be endorsed.

---Education-Argument breadth has benefits. If depth were the only value, teams wouldn’t be allowed to debate more than one advantage or disadvanatge per round. Exploring the range of issues on a subject is also intellectualy important.

#### ---Time limits aren’t an answer

A. Time is finite in debate. Running one argument inherently trades off with another.

B. Other arguments make this non-unique. Multipe topicality arguments, two card disads, or kritiks equally distort time.

C. Creating time pressure and making time based decisions is an inherent part of debate strategy. It’s an acceptable part of all other debate arguments.

---Counterplans don’t introduce unique complexity into the round. The counterplan may just be a minor alteration of the plan. Disadvantage s also raise multiple issues.

---Permutations justify-Retaining the status quo as an option is reciprocal to the affirmative’s ability to advocate the plan or permutation.

---Conditionality is reciprocal to the affirmative’s ability to select a case. Since the affirmative selects the ground for the debate they enjoy a huge preparation advantage. Allowing hypothetical negative arguments helps to defeat this edge.

---Advocacy concerns aren’t decisive.

A. In the real world, policies are attacked from avariety of perspectives. In debate there is only one negative team, so to encompass the true range of potential counter-affirmative advocacy, multiple positions must be allowed.

B. Most debate practice isn’t consistent with the advocacy paradigm. Strategic concessions by the affirmative and permutations allow the affirmative to advocate multiple positions.

---Not a voting issue. Emphasis on punishment incentivizes a race to bottom discouraging substsantive debates.

### \*\*\*T

### 2NC Overview

#### Topicality is a voting issue because of jurisdiction and you should Prefer our interpretation – restrictions must solely be access restrictions and tariff incentives are not financial incentives – that’s our word net and Elcock evidence – this is best

#### A. Limits – they allow for over 3000 different types of restriction affirmatives based of stipulations, delays, hurdles, cost, etc. Examples include permitting restrictions on methane capture, disclosure of chemicals, the type of material you use to drill for oil, whether or not you have to sign two pieces of paperwork at the state and federal level vs one to build a solar power plant in federal lands, etc. Also tariff incentives can apply to every single energy type, essentially doubling the topic. That makes in depth research impossible killing clash and an understanding of the costs and benefits of energy production.

#### B. Ground – their interpretation makes miniscule affirmatives possible that kill links to spending, politics, elections, and incentivizes us to research generic process counterplans that either hurt affirmative ground or are illegitimate.

#### C. Bidirectionality – reducing tariff restrictions grandfathers companies outside of the U.S., trading off and reducing restrictions within the United States, meaning they can claim advantages off the benefits of reducing incentives for production, killing preparedness and core negative ground.

### 2NC A2: W/M

#### Solar panel manufacturers are considered a separate industry from solar power producers

Molavi 2011 (Justin, Senior Analyst at IBISWORLD, “Solar Power in the US,” IBISWorld Industry Report 22111e, May, http://www.aba.com/aba/documents/CommercialInsights/IBISWorld\_Solar.pdf)

International Trade This industry is not engaged in international trade as the generation of solar energy happens within the borders of the US. Upstream suppliers of solar panels do import and export, but this industry is not included in this report. For more information on solar panel production, please refer to the Solar Panel Manufacturing industry (IBISWorld report 33441c).

#### Solar Panels are related to the production process. They are not production.

UNCTAD, 4 - UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT (“INCENTIVES”

http://unctad.org/en/docs/iteiit20035\_en.pdf

Box I.1. Types of incentives

Financial incentives

**· Investment grants**: “direct subsidies” to cover (part of) capital, production or marketing costs in relation to an investment project.

**· Subsidized credits and credit** **guarantees**: subsidized loans/ loan guarantees/ guaranteed export credits.

· **Government insurance at preferential rates/** publicly funded venture capital participating in investments involving high commercial risks. Government insurance at preferential rates, usually available to cover certain types of risks such as exchange-rate volatility, currency devaluation, or non-commercial risks such as expropriation and political turmoil (often provided through an international agency).

Fiscal incentives

**· Profit-based: reduction of the standard corporate income tax rate**/ profit tax rate/ tax holiday.

**· Capital-investment-based**: accelerated depreciation/ investment and reinvestment allowance.

**· Labour-based: reduction in social security contribution/ deductions from taxable earnings** based on the number of employees or on other labour related expenditure.

**· Sales-based: corporate income tax reductions based on total sales**.

· Import-based: duty exemptions on capital goods**, equipment or raw materials, parts and inputs related to the production process**; tax credits for duties paid on imported materials or supplies.

· **Export-based**: export tax exemptions; duty drawback; preferential tax treatment of income from exports, income-tax reduction for special foreign-exchange-earning activities or for manufactured exports; tax credits on domestic sales in return for export performance; income-tax credits on net local content of exports; deduction of overseas expenditures and capital allowance for export industries.

#### ---Restriction means to confine energy production to a specific place-That’s Word Net from the 1NC.

---There is a distinction between removing regulations that increase cost or delay, and restrictions that deny access. That’s Elock from the 1NC. Our evidence contextualizes this argument by explaining that regulatory constraints can impact natural gas in three ways: by restricting access, thereby making it unavailable, by delaying production, or by increasing cost, which could delay production.

#### ---They conflate restrictions with all regulations. Restrictions refer to access and are distinct from other regulations that cover things like safety.

Bullard-8

Introduction to Homeland Security: Principles of All-Hazards Response p.267 Google Books

The pipeline and distribution segments of the oil and natural gas industries are highly regulated. Oversight includes financial, safety, and site selection regulations. The exploration and production side of the industry is less regulated, but it is affected by safety regulations and restrictions concerning property access. The sidebar "Oil and Gas as Weapons" illustrates a unique side to the oil and gas industry (sec Figure 5-8).

#### ---Restrictions distinct from safety regulations, equipment specification and drilling procedures

Fundamental Energy Fund-no date

<http://www.fundamentalasset.com/energy-fund>

Access restrictions and attractive oil prices will drive oil companies to pursue projects in deepwater with deep water drilling contractors set to be big long term beneficiaries. As oil wells become more complex there will be better pricing and higher margins for those oil services companies who can compete. The US government report into the Gulf oil spill has led to tighter safety regulations, equipment specification and drilling procedures across the offshore industry. Other governments will follow the US lead.

---Restrictions refer to access-Regulations cover things like delays and added cost

Kansas Federalist-no date

<http://www.kansasfederalist.com/081709issue.html>

Five Things Congress and the President Are Doing to Bring Back Sky-High Gas Prices

Instead of clamping down on domestic energy supplies, American energy policy should embrace these ideas: Expand offshore and onshore oil production into previously restricted areas, including Alaska's Arctic National Wildlife Refuge, where an estimated 10 billion barrels of oil--16 years of current imports from Saudi Arabia--lie beneath a few thousand acres that can be accessed with minimal environmental impact; Reduce the regulatory and legal delays that can slow and sometimes stop production; Allow further progress on oil shale; and Prevent costly new anti-energy regulations from being imposed in the name of addressing global warming. Smart Energy Policy Should Be Obvious. It should be obvious, but in Washington it is often not: Discouraging domestic oil supplies with access restrictions, regulations, fees, and taxes will add to the future price at the pump, while streamlining these impediments to increased production will do the opposite. Congress and the President should be enacting measures that allow oil and gasoline to be as plentiful and affordable as possible to meet the nation's energy needs. Instead, they are doing the opposite.

---Access restrictions distinct from taxes, fees, permit requirements, environmental regulations

EIA 1

[US Natural Gas Markets - 2. Analysis of Federal Access Restrictions](http://www.eia.gov/oiaf/servicerpt/natgas/chapter2.html)

www.eia.gov/oiaf/servicerpt/natgas/chapter2.html

Under the Obama administration’s national ocean policy, domestic oil and natural gas exploration and development could be seriously curtailed and subject to a myriad of new, costly, and restrictive regulations. Access restrictions, new taxes, fees, and other assessments, more lengthy and stringent requirements for the issuance of regulatory permits related to offshore energy projects, and new air and water quality regulations could significantly harm the domestic offshore and onshore oil and natural gas sector, cause major job losses, decrease the domestic energy supply, increase energy prices, and bring about a rise in federal deficits due to reductions in federal royalty revenues. It is important to note that U.S. oil and natural gas companies have contributed $58.4 billion (44%) of the $133 billion invested by the federal government and private sector from 2000-2008 in new energy technologies designed to curb greenhouse gas emissions. In addition, since 2000, the oil and natural gas sector has been responsible for 22% of the North American investments made in non-hyrdocarbon fuels, including wind, biofuels, solar, geothermal, and landfill digester gas.

### 2NC A2: Reasonability

#### It’s arbituary – I don’t know what the judge thinks is reasonable before my 2NR

#### Competing interpretations is best – key to clash and understanding of topic wording

#### Prefer offense defense – only way to make a coherent decision

#### Also don’t evaluate their predictable limits argument as offense for reasonability – our evidence is also speaking of government action, comes from sources that run trade organizations, and cites the EIA - which is a branch of the DOE

### \*\*\*Counterplan

### 2NC Overview

#### The counterplan essentially utilizes the plan as a bargaining chip against China – asking them that as long as they engage in reciprocal actions through a clean tech energy agreement, that we will also reduce tariffs and anti-dumping laws – the counterplan also does this on a rolling basis – meaning that if other countries want to join this agreement, they can, and they will because China and the U.S. are the largest signifiers of the global free trade movement – solves and turns the case better because the more players there are in the market, the better the propensity for economies of scale and cheap solar expansion

#### Also, China will get on board – A. Economic incentive – China wants the U.S. to stop blockage of U.S. foreign direct investment and capital flows to their own industries B. Competitiveness – it means that China can also develop and invest in solar industries across the entire world – lets them create an economy of scale that meets their energy needs which are key to maintenance of soveirgnty – that’s the slaughter evidence

#### Also theres an internal net benefit – the backlash turn on case – there will obviously still be china bashing post plan because you can’t change the populist ideology of the public and congress through fiat – that means that the plan gets rolled back in the future because of political considerations – only the counterplan satiates their concerns – that’s the hart evidence

CP resolves trade tension, boost innovation, and strengthens global market for clean technology

Stepp and Atkinson-Information Technology and Innovation Foundation-6/12

Green Mercantilism: Threat to the Clean Energy Economy

<http://www2.itif.org/2012-green-mercantilism.pdf>

Create a Clean Technology Agreement Modeled After the Information Technology

Agreement

Trade negotiators should also create a global free trade zone for clean energy products and services, modeled on the Information Technology Agreement (ITA). The ITA is a technology-specific free trade pact created in 1996 that gradually eliminated all tariffs on eight categories of information and communication technology products. And in its first 15 years, the ITA has had a significant impact on expanding global trade in ICT products. The ITA promoted ICT trade and investment, which in turn has driven innovation, opened supply chains, forged partnerships, increased employment, and accelerated economic growth. As such, from 1996 to 2008, total global trade in ICTs increased more than 10 percent annually, bolstered at least in part by liberalized trade. After successfully expanding the ITA (as currently being proposed), trade negotiators should quickly begin working on enacting a similar model for the global clean tech trade. According to Matthew Slaughter, a Professor at the Tuck School of Business at Dartmouth, “The dynamism that the ITA helped bring to information technology could be unleashed in clean-energy technology. But governments have been moving in precisely the opposite direction to create a thicket of beggar-thy-neighbor trade and investment barriers in energy industries.” 103 A Clean Technology Agreement (CTA) would reverse this trend and provide two immediate benefits. First, the CTA would expand global clean technology trade. By eliminating tariffs, prices would decline and global demand would increase, leading to greater revenues that could be reinvested in more RD&D to develop even better clean energy technologies. Second, it could also reduce growing clean energy trade tensions and provide an avenue for negotiating a tariff-free global clean energy market. And there are existing clean energy trade negotiations that could be used as a starting point. For instance, the recent APEC agreement among 13 of its member countries (but so far not including China) to set a goal of reducing tariffs on a list of environmental and clean energy technologies to below 5 percent by 2015 is a good first step in a process that could end with a CTA. The certified list of products that countries agree to reduce tariffs on could be expanded to include all clean energy technologies over an acknowledged time period. The list could then be expanded to include non-tariff green mercantilist policies as well.

Clean technology agreement negotiations should start with the US and China---turns the whole case

Dr Zhengrong Shi-chief strategy officer for Suntech-9/11/12

Guest post: solar energy trade wars – enough is enough

http://blogs.ft.com/beyond-brics/2012/09/11/guest-post-solar-energy-wars-enough-is-enough/

It is time for us to embrace a global free trade zone in clean power technology – and start to break down the walls of global trade instead of putting them up. One result of this unnecessary trade spat is that it has, in my view, reinforced the argument that free competition is critical for the development of competitive solar power. Our industry’s mission is to make solar affordable for everyone. The problem with trade barriers is they push up the price of clean electricity, create waste and inefficiency, and make it harder for solar to compete against fossil fuels. Just like vehicles, TVs or iPhones, solar panel costs have steadily declined because of global competition. Most people have heard of Moore’s Law for computers. The solar industry is governed by a similar phenomenon called Swanson’s Law, named after the Founder of SunPower, the US solar panel producer. Every time we double global solar panel production, the cost per watt drops by about 20 per cent. This is a one-way process. Prices really never go back up – unlike the volatility seen in fossil fuels. In a March 2012 article, Dartmouth professor Matthew Slaughter made a compelling case for a global free trade agreement in cleantech, modelled after the Information Technology Agreement (ITA) that helped make computers affordable for billions of people. ITA is an agreement enforced by the World Trade Organization with the aim to lower all taxes and tariffs on information technology products by its signatories to zero. He writes: China and the U.S. should demonstrate their commitment to finding clean-energy solutions for the world by inviting all like-minded countries to quickly negotiate and implement a Clean Technology Agreement that would eliminate all international trade and investment barriers in energy industries. This idea has resonated across the business community. In response to the tariffs, Semiconductor Equipment and Materials International (SEMI), a global industry association representing hundreds of leading semiconductor companies, agreed: PV solar and other renewable energy industries must begin the long and difficult process of developing a comprehensive and holistic world trade agreement that promotes free and open trade and accelerates adoption of renewable energy. The US Solar Energy Industry Association (SEIA) has taken a similar position in response to the China investigation: We are disappointed by China’s decision to escalate the U.S.-China solar trade conflict. Unfortunately, these investigations will have an immediate, adverse impact on U.S. polysilicon manufacturers, regardless of the investigations’ outcome. The investigations also threaten the Chinese solar industry’s access to the world’s most efficient and innovative polysilicon products. Once again, what’s missing from today’s decision is any effort to find common ground. Enhanced coordination between industry and government will help avoid trade friction at an earlier stage and create a complementary avenue for resolving trade conflict. SolarWorld, the German-headquartered company, supported by some other solar players in the industry, has successfully persuaded the US to impose trade penalties on solar panels imported from China. And now it is pressing for action in the European Union. But, in my opinion, the vast majority of solar industry leaders want to see a trade war averted. It is imperative that the industry unites against protectionism in our fight to achieve affordable solar electricity. In the absence of a meaningful global commitment to reducing greenhouse gases, let’s start by getting together and freeing the solar industry from the shackles of myopic protectionism. All countries should provide wide open market access and consumer-side incentives to promote the adoption of the best solar products available – no matter where it is made. The world’s two largest producers and consumers of energy, China and the US, should lead the way on drafting and facilitating a global Sustainable Energy Trade Agreement. Now that an erroneous trade case has been filed in Europe, the European Commission must consider the impact of this case on the global PV market and recognize that a misguided trade war would undermine years of progress. The European solar industry employs 300,000 people, and the US solar industry employs more than 100,000 people. Considering that less than 1 per cent of the world’s energy production comes from solar, imagine how many jobs we could create if that number was 25 per cent, or even 5 per cent. To tackle global challenges such as climate change, air and water pollution, energy scarcity and energy poverty, we need global solutions unconstrained by political boundaries. Low cost solar power is a good thing for the world – we just need the courage to agree.

### 2NC A2: Unfair CP

### A2: CP Illegitimate

---Negotiation counterplans are at the heart of the affirmative literature base-You should err heavily against excluding options that are specifically advocated as important alternatives to the affirmative.

#### ---the counterplan is key to ensure education about bargaining chips in the international arena – it’s the core of the topic

Spruiell, a graduate student in public policy at the University of Texas-6

http://www.globalenvision.org/library/15/1211

This so-called "bargaining chip" theory is neither pro- nor anti-trade, but views protectionist politics as a game of give and take. For example, at a meeting of the World Trade Organization, U.S. Trade Representative Robert Zoellick might tell Brazilian trade minister, "We're willing to lower our steel tariffs. But only if you eliminate your quotas on blond hair dye."

#### ---Literature proves unilateral versus bilateral trade policy is a germane consideration

Egger-Institute for International Studies at the University of Notre Dame-3

On the Welfare Effects of Trade and Investment Liberalization

<http://homepage.uibk.ac.at/~c43236/WP03-07.pdf>

Using a three factor knowledge-capital model of trade and multinational activity, we consider a set of policy experiments to assess the welfare effects of trade and investment liberalization in general equilibrium. Specifically, we address the question of whether and under which circumstances a single versus a combined trade/investment liberalization strategy or an unilateral versus a bilateral policy change is preferable from a single country's and the world's point of view. The focus of this paper is to look at three highly relevant questions. First, when is investment liberalization bene¯cial and when is it harmful for a single economy or the whole word? Second, is pure investment liberalization a welfare maximizing strategy? Third, when is either kind of liberalization (trade, investment or both) welfare improving and when neither?

#### ---Doesn’t steal affirmative offense---Unilateral liberalization allows the affirmative to generate multiple key offensive arguments against using the plan as a bargaining chip.

---Optimal Policy-The purpose of policy debate is to find the best policy. The affirmative has unlimited time to devise the best plan it can. If it’s proven not to be the best, it should be rejected.

---Real World-Actual policy debate often centers around small differences between policies, not radically different alternatives. The art of political compromise is the art of finding common ground.

---Education-Procedural debate can be a good thing. Narrower focus allows greater depth of discussion. Implementation questions are also more realistic than are debates over radically distinct alternatives.

---Doesn’t waste the 1AC-The affirmative still sets the the initial ground for the debate. The negative must still find some aspect of the affirmative plan with which to compete. The negative isn’t obligated to run arguments that were preempted in the 1AC. It’s more fair to let both teams partially determine ground for the debate.

---Don’t trivialize the debate-If the difference between the plan and the counterplan is large enough to generate a net benefit, than it’s worth debating. This argument isn’t unique as many affirmatives’s are only a small departure from the status quo.

---Risk-Reward-Plan-inclusiveness makes the affirmative accountable for it’s plan. Specific implementation mechanisms are used in order to gain a strategic advantage. It’s fair that there should be an accompanying strategic risk.

---Punishment doesn’t fit the crime-The judge should evaluate theory like extra-topicality. The counterplan should be judged outside their jurisdiction and a lost option for the negative to advocate.

---Plan inclusive counterplans are germane-Questions of how policies are implemented and who implements them are often fundamental to evaluating the policy at hand.

### 2NC A2: Say No

#### This evidence concludes negative – first, its in the context of the U.S. saying no, not china, second, it says that we should engage in reciprocal negotiations so we look hard on China and china will get on board

China will join-catalyzes global movement to reach deal

Melendrz-Ortiz et al-ICTSD-3/12 RCCPB Working Paper #24

China’s Global and Domestic Governance of Climate Change, Trade and Sustainable Energy:

Exploring China’s interests in a global massive scale-up of renewable energies

<http://www.indiana.edu/~rccpb/pdf/MMR%20RCCPB%2024%20SETA%20Mar%202012.pdf>

China’s engagement in new multilateral or plurilateral trade initiatives carries greater systemic importance than one would see at first sight. In fact, in terms of political economy, China should be seen as a crucial member of a global SETA. A significant but publicly unacknowledged impediment to concluding the Doha negotiations is the WTO members’ difficulty in coming to terms with China’s juggernaut-like rise in terms of trade and related policies that may be perceived as unfair by trading partners and which are for the most part not in the Doha agenda. Even with conservative assumptions about its growth and trade dependence, China’s share of global trade is likely to be twice as large as that of the United States by 2030 (Mattoo, 2011). While China will continue to have a major stake in maintaining an open multilateral trading system, it would have serious consequences if China seeks to translate its power into trading privilege (as other dominant powers have historically done). Also, China could act as a catalyst in a SETA, standing up for the interests of other emerging and developing countries, especially the G-77, and serving as an example for them in terms of transitioning to a low-carbon economy. Luckily, China from its side also has a strong interest in maintaining an open multilateral trading system. The depth of China’s international integration may itself preclude protectionist measures. Industrial country firms have made large relationship-specific investments in China, outsourcing assembly and intermediate goods and services production; Chinese firms have formed strong links with locally established foreign manufacturing firms, foreign banks, retailers, telecommunications and transport providers, and are increasingly investing abroad. Since 1991, the ‘Go Out Policy’ (also referred to as the ‘Going Global Strategy’) is an effort initiated by the Chinese government to promote Chinese investments abroad. As a result, the business functions of Chinese customers and suppliers of goods and services are highly intertwined with their counterparts in other countries. Any protectionist action would threaten these relationships and be self-destructive. This mutual dependence situation gives rise to political economy forces that could counteract protectionist pressures (Mattoo, 2011).

China will join-most recent RTAs signal shift on environmental issues

Melendrz-Ortiz et al-ICTSD-3/12 RCCPB Working Paper #24

China’s Global and Domestic Governance of Climate Change, Trade and Sustainable Energy:

Exploring China’s interests in a global massive scale-up of renewable energies

<http://www.indiana.edu/~rccpb/pdf/MMR%20RCCPB%2024%20SETA%20Mar%202012.pdf>

While China has shifted its development objectives from primarily focusing on growth to pursuing a more balanced and sustainable development, environmental concerns have not, so far, been a high priority on the Chinese RTA agenda (Gao, 2009). Most of China’s RTAs contains clauses on environmental cooperation. However, in China’s existing RTAs, environmental provisions are typically limited to the mentioning of the principle of “sustainable development” in the preamble, the recognition of the possibility to use environmental measures as an exception to the general trade obligations, and general language on environmental cooperation among the parties. In addition, some RTAs include liberalizations on environmental goods and services in the respective schedules. For example, in the RTA with Chile, China agreed to partially liberalize the environmental services sector. In some of the most recent RTAs, however, China seems to lean toward a more active approach to environmental considerations. This is consistent with the shift of China’s development objective. For example, in the RTA with Singapore, China agreed to cooperate with Singapore on the Tianjin Eco-city project (Singapore Government, 2011) and enhance cooperation on environmental protection and energy and resource conservation. (World Bank, 2009) Another example is the RTA with New Zealand, which includes a side agreement on environmental cooperation. (Ibid.)

China will join-Recent changes on multilateral energy governance

Melendrz-Ortiz et al-ICTSD-3/12 RCCPB Working Paper #24

China’s Global and Domestic Governance of Climate Change, Trade and Sustainable Energy:

Exploring China’s interests in a global massive scale-up of renewable energies

<http://www.indiana.edu/~rccpb/pdf/MMR%20RCCPB%2024%20SETA%20Mar%202012.pdf>

4.4China and global energy governance In the past China has demonstrated a preference for bilateral and regional to multilateral energy institutions, showing many similarities with China’s attitude towards international trade governance. Indicative of this is China’s refusal to join the world’s largest multilateral energy institutions, such as the IEA. 28 As has been discussed in section 1 China’s blending of state- and market-based approaches toenergy procurement has caused disquiet among developed and some developing nations. There are signs, however, that the Chinese approach to global energy governance may be slowly shifting. The potential role China could play in global energy governance looms large over the future of energy security in the world. In January 2012, China’s Premier Wen Jiabao has taken an ambitious step and proposed a global governance mechanism for energy under the G20 framework to stabilize oil and natural gas markets. (Yinan, 2012)

#### China will join-fits new priorities

Melendrz-Ortiz et al-ICTSD-3/12 RCCPB Working Paper #24

China’s Global and Domestic Governance of Climate Change, Trade and Sustainable Energy:

Exploring China’s interests in a global massive scale-up of renewable energies

<http://www.indiana.edu/~rccpb/pdf/MMR%20RCCPB%2024%20SETA%20Mar%202012.pdf>

A SETA should aim at delivering benefits for China and for the world in terms of energy access and security, efficient value chains in the production of goods, services and technologies related to energy and climate change mitigation. In that sense, a SETA would respond in a practical manner to China’s needs and aspirations in the first part of the 21 st century. A SETA should also fit into China’s 12 th five-year plan which puts a heavy emphasis on market mechanisms and economic incentives, instead of the central-planning approaches, to ramp up the clean energy sector. Thirdly, it can be concluded that substantive contents of a SETA need to be specified and tailored according to China’s needs. This means that a SETA needs to be not only about securing efficient and functioning markets, but also about addressing trade-related sustainable development concerns and priorities of China as an economy in transition.

### A2: Squo Solves

#### Status quo doesn’t solve – no countries are on board for a liberalized trade order

#### Only We solve trade – A. Global Spillover

Melendrz-Ortiz et al-ICTSD-3/12 RCCPB Working Paper #24

China’s Global and Domestic Governance of Climate Change, Trade and Sustainable Energy:

Exploring China’s interests in a global massive scale-up of renewable energies

<http://www.indiana.edu/~rccpb/pdf/MMR%20RCCPB%2024%20SETA%20Mar%202012.pdf>

While not a “silver bullet” remedy for all the trade-related issues and challenges on sustainable energy, a SETA might facilitate alternative or innovative approaches to liberalising sustainable energy goods and services. It could provide an environment conducive to assessing the linkages between sustainable energy goods and energy services, and serve as an ideal “laboratory,” where rules and disciplines pertaining to sustainable energy could be clarified and take shape. In addition to its catalysing effect on world trade in a sector of huge importance to global climate mitigation efforts, such an agreement could constructively inform, and perhaps even shape the course of future negotiations and work at the WTO as well as the UNFCCC and other global governance frameworks (G20, World Bank, the Major Economies Forum, APEC, OECD etc.).

#### B. Restores credibility to the WTO

Melendrz-Ortiz et al-ICTSD-3/12 RCCPB Working Paper #24

China’s Global and Domestic Governance of Climate Change, Trade and Sustainable Energy:

Exploring China’s interests in a global massive scale-up of renewable energies

<http://www.indiana.edu/~rccpb/pdf/MMR%20RCCPB%2024%20SETA%20Mar%202012.pdf>

From the above it appears that a SETA within the WTO (either multilateral or plurilateral) would be beneficial to China and others, if only because it would reinforce the legitimacy and relevance of the multilateral trading system at a time when other elements of global governance, particularly in the financial realm, are under severe strain. While most members in the WTO pay lip-service to multilateralism and few would derogate from it in public, a plurilateral SETA may be considered as the most realistic at this point. In the case of a plurilateral arrangement in the WTO, an additional challenge will be to secure a WTO legal possibility. That would require a waiver-particularly from members that will not be a parties to the agreement - to create such an agreement. Experts are presently elaborating and assessing legal options within the existing frameworks for countries to consider.

23

### A2: Permutation-Do the CP

#### ---Mutually exclusive-This severs the entire plan. The plan unilaterally and unconditionally removes restrictions. The counterplan uses the plan as a bargaining chip to reach an agreement.

#### ---The plan and counterplan are compared in the literature as exclusive options-that’s all of our permutation evidence.

#### ---severs reduce-reduce means to diminish in size

Merriam-Webster’s dictionary 2010, Britannica Online

Reduce: to diminish in size, amount, extent, or number

#### A. The permutation adds a restriction based on Chinese reciprocation. Adding restrictions is anti-topical and would justify affirmatives that replaced one restriction with another.

#### B. Doesn’t guarantee a reduction. In a world where China says no, no restrictions would be reduced. Conditional reductions make the plan a moving target.

#### C. Severance is illegitimate-in a world where the affirmative can pick and choose which parts of the plan to advocate, no counterplan would compete.

#### ---And, substantial reduction implies real or tangible reduction-the permutation is a conditional not substantive reduction.

Merriam-Webster's Dictionary of Law, 1996 (http://dictionary.reference.com/browse/substantially)

1 a : of or relating to substance b : not illusory : having merit substantial constitutional claim> c : having importance or significance : MATERIAL substantial step had not been taken toward commission of the crime —W. Railroad LaFave and A. W. Scott, Junior>

2 : considerable in quantity : significantly great substantial abuse of the provisions of this chapter —U.S. Code> —compare DE MINIMIS — sub•stan•ti•al•i•ty /-"stan-chE-'a-l&-tE/ noun — sub•stan•tial•ly adverb

#### ---And, should is mandatory

A Dictionary of Modern Legal Usage, Bryan A Garner, scholar of the English Language, March 2001

Should. Oddly, should, like may, q.v., is sometimes used to create mandatory standards, as in the ABA Code of Judicial Conduct. In that code, in which “[t]he canons...establish mandatory standards unless otherwise indicated,” six of the seven canons begin, “A Judge should...” See ought (b) & shall.

#### ---Should implies probability

Google Dictionary, 2011

Used to indicate what is probable

#### ---And, Resolved means to make a firm decision

[Allwords.com](http://Allwords.com/) 2003

http://www.allwords.com/query.php?SearchType=3&Keyword=Resolved&goquery=Find+it%21&Language=ENG

1. To decide firmly or to determine to do it.

Form: resolve on something (usually)

Form: resolve to do something

### 2NC A2: Links To Politics

The CP is a major win for Obama-the plan and perm make him look weak

WOLFGANG-InterAmerican Security Watch-7/19/12

Obama administration stalls economic engine of new free-trade pacts

http://interamericansecuritywatch.com/obama-administration-stalls-economic-engine-of-new-free-trade-pacts/

Obama vs. Romney Mr. Romney, the presumptive Republican presidential nominee, increasingly has turned to trade as an attack line against Mr. Obama. While the Obama administration has failed to achieve any new deals, he says, the rest of the world is moving full steam ahead. Since 2007, the European Union has finalized or negotiated more than 20 deals. China has signed or negotiated nearly 20. Even the few trade success stories of the Obama administration were results of political motivation, said Dan Ikenson, director of the Cato Institute’s Steifel Center for Trade Policy Studies. Mr. Ikenson said it was one of the few areas where the president could try to move to the political middle after the 2010 congressional elections. “The three agreements he got signed were on the shelf during his first couple of years. But after the shellacking he took in the midterm elections, he said, ‘What does business want?’” Mr. Ikenson said. Administration officials dispute that characterization, pointing to the fact that, despite political opposition from within his own party, Mr. Obama guided the three deals past the finish line. Indeed, the president had to face down fierce criticism from some top Democrats, but made some alterations to the agreements and won overwhelming approval from Congress — including from House Minority Leader Nancy Pelosi, California Democrat. A spokeswoman for U.S. Trade Representative Ron Kirk said Tuesday that the administration also is exploring trade deals with the European Union and continuing negotiations with other countries in the World Trade Organization. The White House also is banking on the eventual implementation of the Trans-Pacific Partnership, a free-trade agreement among the U.S., Canada, Mexico, Singapore, Vietnam, Malaysia, New Zealand and others. The member nations held their 13th round of talks in San Diego this month, and Mr. Kirk hailed “substantial progress” toward opening more Asian markets for American goods. The 14th round of talks will commence in September. “This would be a big deal for us in a couple of senses,” said Jeffrey J. Schott, a senior fellow at the Peterson Institute for International Economics and a specialist in international trade policy. “For one, this is not just [a free-trade agreement] with a couple of small countries. By the time the deal closes, you’re going to have, perhaps, 13 countries that account for a huge economic area and a large amount of trade involved. It also gives us a chance to upgrade the [agreements] we already have with a couple of countries, such as Mexico and Canada,” he said. But the deal also has raised objections from a variety of factions, including several key Obama constituencies such as labor unions and university professors. “Although we would welcome [the Trans-Pacific Partnership] that creates good jobs … American, Canadian and Mexican workers cannot afford another corporate-directed trade agreement” such as NAFTA, labor leaders from the AFL-CIO, the Canadian Labour Congress and Mexico’s National Union of Workers said in a joint statement this month. The academic world also has reservations about the agreement, chief among them the fear that U.S. intellectual property laws would be superseded by those in other nations involved with the Trans-Pacific deal. The details of the agreement’s intellectual property statutes have been kept largely under wraps, said Sean Flynn, a law professor at American University and one of more than 30 academics who signed a letter to Mr. Kirk this year calling for the Obama administration and other governments at the negotiating table to be more transparent. “They’re doing this through a very secretive process,” he told The Washington Times. “Very few of the stakeholders affected, especially consumers and a whole host of competitors, from businesses to copyright and patent holding companies, are being consulted on this.” Confronting China While the Trans-Pacific Partnership could become a political success for Mr. Obama and a boon for American businesses, U.S. failure to adequately deal with China’s currency manipulation, analysts say, is holding up the agreement. “China is bullying Obama. That’s why it’s taking so long. We can’t get [other nations] to buy into our model because they’re watching China bully us,” said Mr. Morici, the University of Maryland scholar. The Romney campaign has zeroed on Mr. Obama’s economic policy toward China, claiming the nation’s massive borrowing from the burgeoning Asian superpower has removed any leverage that the U.S. might have had. Mr. Romney has vowed to declare China a currency manipulator and has said the two nations are already essentially in a trade war. Others say the White House has dealt with China as best it can. The Obama administration has brought at least seven cases against China before the World Trade Organization. The most recent was a complaint that the nation was violating the rules by discriminating against U.S. bank card suppliers. A WTO panel on Monday ruled in favor of the U.S., and White House spokesman Jay Carney cast the decision as evidence that the Obama administration has maintained a hard line. He said the ruling was a win in the administration’s “determination to go after China’s efforts to distort global trade rules.” It’s good politics these days, analysts say, to criticize others’ handling of what has become a delicate economic relationship with China. But words are far different from actions, and whether Mr. Romney would truly take a tougher stance isn’t a sure thing, Mr. Morici said. “It isn’t clear that Romney won’t back down, either,” he said.

The CP allows Obama to maintain a tough on china stance---the plan is perceived as a trade concession

International Centre for Trade and Sustainable Development-7/18/12

US Presidential Candidates Zero in on China Trade Practices

<http://ictsd.org/i/news/bridgesweekly/138543/>

With November’s US presidential election drawing ever nearer, candidates have spent the last several weeks out on the campaign trail exchanging barbs over their respective approaches to the economy, with a particular focus on the country’s trade relationship with China. Back in Washington, some trade observers are questioning whether efforts to enact a new Farm Bill and remove decades-old trade restrictions on Russia will actually lead to a result before Congress adjourns for its annual August recess. The past few weeks have seen tensions ratchet up between President Barack Obama and his Republican competitor Mitt Romney, amid competing claims over which candidate will do the best job in improving the US economy, particularly in terms of reducing unemployment. From the beginning of the election campaign season, presidential contenders have been working hard to convince voters that they are the country’s best bet for tackling the perceived negative impacts brought on by “unfair” Chinese trade practices. Recent allegations have focused on who will prevent China from, as both candidates have put it, “taking US jobs,” with candidates accusing each other in recent political ads of being the biggest “outsourcer-in-chief” or “outsourcing pioneer.” A bipartisan poll released on Monday by the Mellman Group and North Star Opinion Research - the former a Democratic polling group, the latter a Republican - found that 62 percent of voters want the US to become tougher with China “and use every possible means to stop their unfair trade practices,” a result that observers suggest will only increase candidates’ anti-China trade rhetoric further. Only 29 percent of respondents in the survey felt that this strategy could spark a trade war with China that could backfire on the US. Obama, for his part, has stressed throughout his re-election campaign his ramping-up of pressure on Beijing to appreciate its currency - the renminbi - more quickly and has reiterated his 2010 pledge to double US exports by 2015 as part of his strategy to use trade in creating US jobs. The Obama administration is also pointing to the high number of WTO cases that have been filed against Beijing compared to the former Republican administration under George W. Bush. “Unfair Chinese trade practices has been a priority of this president throughout [Obama's] term in office,” White House Press Secretary Jay Carney told reporters on Monday. “That is precisely why 3.5 years into the president’s first term we have doubled the rate of WTO cases against China versus the prior administration.”